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9 **UNITED STATES DISTRICT COURT**
10 **FOR THE DISTRICT OF NEVADA**

11 SECURITIES AND EXCHANGE
12 COMMISSION,

Case No.: 2:16-cv-1413

13 Plaintiff,
14 vs.
15 HEMP, INC. a Colorado Corporation;
16 BRUCE J. PERLOWIN, an individual;
17 BARRY K. EPLING, an individual; JED
18 M. PERLOWIN, an individual; FERRIS
19 HOLDING, INC., a private Nevada
20 Corporation; HOBBES EQUITIES INC.,
21 a private Nevada Corporation;
22 DIVERSIFIED INVESTMENTS LLC, a
private Nevada Limited Liability
Company; and QUANTUM ECONOMIC
PROTOCOLS LLC, a private Nevada
Limited Liability Company.

23 Defendants.
24
**PLAINTIFF'S UNOPPOSED MOTION FOR
LEAVE TO ISSUE A RULE 45 SUBPOENA TO
THE INTERNAL REVENUE SERVICE**

25 Pursuant to Local Rule 6-2, Plaintiff Securities and Exchange Commission (the
26 “Commission”) submits this unopposed motion seeking leave of Court to issue a Rule 45
27 Subpoena to Produce Documents to the Internal Revenue Service. Due to the expiration of the
28 fact discovery period on July 17, 2017 (Docket No. 62), the Commission seeks leave of Court to

1 issue a subpoena outside the discovery period.

2 An evidentiary hearing is scheduled in this case on May 10, 2018. The Commission
3 intends to offer relevant tax documents at the hearing. The tax documents were originally
4 produced by the Internal Revenue Service (the “IRS”) to the Commission after the close of
5 discovery in this case. The Commission has requested the IRS to provide a Rule 902(1) records
6 certification for those documents. However, the IRS has informed counsel for the Commission
7 that it requires a subpoena in order to provide that certification. As a non-party, the IRS will not
8 be prejudiced by the issuance of a subpoena outside the discovery period which seeks only a
9 records certification of tax records previously produced.

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12 Counsel for the Commission contacted counsel for Defendants Hemp, Inc., Bruce J.
13 Perlowin, Barry K. Epling, Ferris Holding, Inc., and Hobbes Equities, Inc. regarding this motion
14 for leave to issue subpoena. Counsel indicated that they do not oppose the relief requested in this
15 motion.

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17 DATED this 20th day of March, 2018.



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20
21 Amy J. Oliver
22 Daniel J. Wadley
23 James J. Thibodeau
24 Securities and Exchange Commission

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28 **IT IS SO ORDERED.**

HONORABLE PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE

DATED: _____

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of March, 2018, I served **PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO ISSUE A RULE 45 SUBPOENA TO THE INTERNAL REVENUE SERVICE** to the following parties entitled to service by via email to the counsel indicated below:

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Ang. d.

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